

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

VINCI BRANDS, LLC

____ Civ. 1:23-CV-5138

ORDER TO SHOW CAUSE

Plaintiff,

COACH SERVICES, INC., KATE SPADE, LLC,
TAPESTRY, INC., and CASE-MATE, INC.

**FOR PRELIMINARY INJUNCTION
AND TEMPORARY RESTRAINING
ORDER**

Defendants.

----- X

Upon the declarations of Steve Latkovic, Marshall Clark, Alex Wang, and Josh Phillips, declared on the 22nd day of June 2023, and upon the copy of the amended complaint hereto annexed, it is

ORDERED, that the above named Defendants show cause before a motion term of this Court, at Room ___, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on June _____, 2023, at _____ o'clock in the afternoon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the Defendants during the pendency of this action from transmitting further communications to the public and/or trade and/or Plaintiff's suppliers or customers, indicating or suggesting that the license agreement between Plaintiff and the Kate Spade Defendants has been terminated and that Plaintiff is no longer authorized to manufacture, promote, sell, or distribute Kate Spade Licensed Merchandise; further breaching or inducing the breach of the license agreement, specifically Sections 3.2, 12.3 and 15.2 thereof; breaching confidentiality agreements by disclosing or

divulging confidential information of Plaintiff; tortiously interfering with the license agreement and with Plaintiff's contracts and business relationships with suppliers and customers; tortiously interfering with Plaintiff's business advantage with its suppliers and customers; and further enjoining or requiring the Kate Spade Defendants to issue a Letter of Authorization to Vinci's suppliers and customers stating that Vinci is authorized to develop, produce, manufacture, promote, advertise, distribute and sell Kate Spade-branded authentic protective technology cases and mobile accessories; and it is further

ORDERED that, sufficient reason having been shown therefor, pending the hearing of Plaintiff's application for a preliminary injunction, pursuant to Rule 65, Fed. R. Civ. P., the Defendants are temporarily restrained and enjoined from transmitting further communications to the public and/or trade and/or Plaintiff's suppliers or customers, indicating or suggesting that the license agreement between Plaintiff and the Kate Spade Defendants has been terminated and that Plaintiff is no longer authorized to manufacture, promote, sell, or distribute Kate Spade Licensed Merchandise; further breaching or inducing the breach of the license agreement, specifically Sections 3.2, 12.3 and 15.2 thereof; breaching confidentiality agreements by disclosing or divulging confidential information of Plaintiff; tortiously interfering with the license agreement and with Plaintiff's contracts and business relationships with suppliers and customers; tortiously interfering with Plaintiff's business advantage with its suppliers and customers; and further that the Kate Spade Defendants must issue a Letter of Authorization to Vinci's suppliers and customers stating that Vinci is authorized to develop, produce, manufacture, promote, advertise, distribute and sell Kate Spade-branded authentic protective technology cases and mobile accessories; and it is further

ORDERED that security in the amount of \$ _____ be posted by the plaintiff prior to _____, _____, at _____ o'clock in the _____ noon of that day; and it is further

ORDERED that personal service of a copy of this order and annexed declarations upon the Defendants or their counsel on or before _____ o'clock in the afternoon, _____ June, 2023, shall be deemed good and sufficient service thereof.

DATED: New York, New York

ISSUED: _____ M

United States District Judge
